IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 234 OF 2007
IN
STAMP NUMBER MAIN NO. 2270 OF 2007

SHRI. SURESH BABU R. AND ANR., ... Applicants
Versus
THE CENTRAL BUREAU OF INVESTIGATION ... Respondent

Ms. Kim Kataky, Advocate under legal aid scheme for the Applicants.
Mr. C.A. Ferreira, Special Public Prosecutor for the Respondent.

Coram:- N. A. BRITTO, J.

Date:- 18th October, 2007

P.C.:

Heard Ms. Kim Kataky on behalf of the applicants and Shri Ferreira, the learned Special Public Prosecutor on behalf of the Respondent. The applicant herein has filed a revision challenging the order dated 5/04/2006 of the learned Special Judge, South Goa, Margao and since there is a delay in filing the said revision application, the applicant has filed an application for condonation of delay.

The learned Special Public Prosecutor upon instructions from the Investigation Officer of respondent No.1 states that the decision has been taken to close the case and an application to that effect will be filed before the Special Judge, South Goa, Margao. It appears that the applicants' application before the learned Special Judge was opposed by the respondent at that time on the ground that the investigations of the case were pending. However, since now decision has been taken to close the case, the applicant would be at liberty to file a fresh application before the learned Special Judge to obtain the documents which were seized by the

Investigation Officer of the respondent-CBI. The learned Public Prosecutor states that a final report has already been filed. In such a situation, no useful purpose would be served by entertaining this application. The applicant would be at liberty to apply afresh to the learned Special Judge for the return of the documents seized during investigations.

Application disposed of on the above terms.

N. A. BRITTO, J.

NH